



Entered on Docket
November 16, 2009

A handwritten signature in black ink, reading "Bruce A. Markell".

Hon. Bruce A. Markell
United States Bankruptcy Judge

WILDE & ASSOCIATES

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HSBC Bank USA, National Association, as Trustee for NAAC Mortgage Pass-Through Certificates,
Series 2007-1

09-72784

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

David E. Taliaferro

Debtor.

BK-09-16449-bam

Date: 10/27/2009

Time: 1:30pm

Chapter 13

ORDER VACATING AUTOMATIC STAY

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to Secured Creditor HSBC Bank USA, National Association, as Trustee for NAAC Mortgage Pass-Through Certificates, Series 2007-1, its assignees and/or successors in interest, of the subject property, generally described as 10209 Crystal Cloud Ave., Las Vegas, NV 89129, and legally described as follows:

PARCEL ONE (I):

Lot Nine (9) in Block Two (2) of CHEYENNE/HUALAPAI UNIT 3, as shown by map thereof on file in Book 86 of Plats, Page 49, in the Office of the County Recorder of Clark County, Nevada.

PARCEL TWO (2):

A non-exclusive easement of ingress and egress, and of use and enjoyment in, to and over the Master Association property as set forth in the Master Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for SHADOW HILLS recorded June II, 1998 in Book 980611 as Document No. 00990, and in, to and over the common elements as set forth in the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for GRANDVIEW recorded December 14, 1998 in Book 981214 as Document No. 00966 as the same from time to time be amended and/or supplemented, and as shown and delineated on the Amended Plat of a portion of CHEYENNE/HUALAPAI UNIT 3 (Book 86 of Plats, Page 49), all in the Office of the County Recorder of Clark County, Nevada, which easement is appurtenant to Parcel One (I).

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors at least five business days' notice of the time, place and date of sale.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

IT IS FURTHER ORDERED that in the event a Notice of Default has been recorded against this particular property there can be no sale for sixty (60) days, allowing the Debtor(s) to submit a copy of this Order to the State of Nevada, Foreclosure Mediation Program, and the Order will be construed as an

1 agreement between the Secured Creditor and Debtor(s) that they have voluntarily agreed to a mediation
2 under the Nevada State Foreclosure Mediation Program pursuant to Rule 6 of said program. The necessary
3 information can be accessed at <http://www.nevadajudiciary.us/>.

4 IT IS FURTHER ORDERED there shall be no foreclosure sale held prior to December 28, 2009.

5
6
7 DATED this _____ day of _____, 2009.

8 Submitted by:

9 **WILDE & ASSOCIATES**

10 By  107-98

11 **GREGORY L. WILDE, ESQ.**

12 Attorney for Secured Creditor

13 208 South Jones Boulevard

14 Las Vegas, Nevada 89107

15 APPROVED / DISAPPROVED

16 _____
David Krieger

17 1020 Garces, Suite 100

18 Las Vegas, NV 89101

19 Attorney for Debtor(s)

20 APPROVED / DISAPPROVED

21 _____
Kathleen A. Leavitt

22 201 Las Vegas Blvd. So., #200

23 Las Vegas, NV 89101

24 Chapter 13 Trustee

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1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 ☐ The court waived the requirements of LR 9021.

4 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,
and each has approved or disapproved the order, or failed to respond, as indicated below
(list each party and whether the party has approved, disapproved, or failed to respond to the
document):

7 (List Parties)

8 Debtor's counsel:

9 ☐ approved the form of this order ☐ disapproved the form of this order

10 ☐ waived the right to review the order and/or ☒ failed to respond to the document

11 ☐ appeared at the hearing, waived the right to review the order

12 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 ☐ approved the form of this order ☐ disapproved the form of this order

15 ☐ waived the right to review the order and/or ☒ failed to respond to the document

16 Other Party: _____

17 ☐ approved the form of this order ☐ disapproved the form of this order

18 ☐ waived the right to review the order and/or ☐ failed to respond to the document

19 Breach Order:

20 ☐ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which
22 they have not replied

23
24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor